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From : Richard San Pietro

Date : April 5, 2004

Client/Matter No : ~~071066~~-0104

USSN : 09/916,396

Filing Date : July 27, 2001

Examiner : Sandra E. Saucier

User ID No : 0079

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Transmitted herewith for filing in the above-referenced application are the following.

- 1) Transmittal (2 pages) in Duplicate; and
- 2) Response and Amendment (15 pages).

Thank you.

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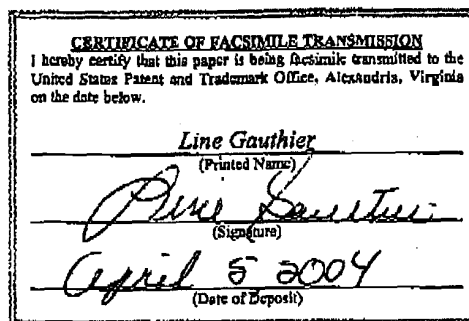
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Atty. Dkt. No. 074066-0104

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Gregory M. Fahy

**Title:** An Advantageous Carrier Solution  
for Vitriifiable Concentration of  
Cryoprotectants, And Compatible  
Cryoprotectant Mixtures

**Appl. No.:** 09/916,396**Filing Date:** 07/27/2001**Examiner:** Sandra E. Saucier**Art Unit:** 1651**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous  
assertion of Small Entity status.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	-	23	=	1	x	\$18.00	=	\$18.00
Independent Claims:	4	-	6	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$290.00	=	\$0.00
CLAIMS FEE TOTAL									= \$18.00

Atty. Dkt. No. 074066-0104

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ X ] Extension for response filed within the second month:	\$420.00	\$420.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$438.00
[ X ] Small Entity Fees Apply (subtract ½ of above):		\$219.00
TOTAL FEE:		\$219.00

[ X ] Please charge Deposit Account No. 50-0872 in the amount of \$219.00. A duplicate copy of this transmittal is enclosed.

[ X ] Although the maximum independent claims was 5, on March 31, 2003, Applicant paid for 6 independent claims, in error. Please credit this amount to Deposit Account No. 50-0872.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date April 5, 2004

Respectfully submitted,

Richard J. Warburg  
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6717  
Facsimile: (858) 792-6773

By Richard S. Pietro

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071

Atty. Dkt. No. 074066-0104

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<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
Line Gauthier	
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(Signature)	
April 5 2004	
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Respectfully submitted,

Richard J. Warburg  
FOLEY & LARDNER LLP  
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Telephone: (858) 847-6717  
Facsimile: (858) 792-6773

By Richard S. Pietro

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071

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**Art Unit:** 1651

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**RESPONSE TO OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
Alexandria, VA

Dear Sir:

In response to the Office Action mailed November 5, 2003, please enter the following  
amendments and consider the following remarks.

Amendments to the specification begin on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 8.

023.247888.3